WPMB NO. 1060 OF 2004

Hon. V.S. Sirpurkar, C.J.

Hon. Irshad Hussain, J.

Heard Mr. Alok Singh, Senior Advocate i/b Mr. A.K. Gautam, learned counsel for the petitioner and learned A.G.A.

There is a question of fact involved in this writ petition as to whether the mark-sheet filed and supported by the accused-petitioner is genuine or not. That is not for this court to decide. In that view, the writ petition is not maintainable and is dismissed.

However, if the petitioner surrenders before the Magistrate, the concerned Magistrate shall decide the bail application within 3 days of the filing of the bail application.

(IH, J.) **(VSS, C.J.)**
29.10.2004 **29.10.2004**

Dt. 29.10.2004